

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NORTHEASTERN DIVISION**

SCOTT JEFFREY CARROLL, )  
                                )  
Plaintiff,                 )  
                                )      **No. 2:16-cv-0009**  
v.                            )  
                                )      **Judge Sharp**  
CAROLYN W. COLVIN,        )      **Magistrate Judge Newbern**  
Acting Commissioner of Social Security, )  
                                )  
Defendant.                 )

**ORDER**

Pending before the Court is a Report and Recommendation (“R & R”) of the Magistrate Judge, recommending that this case be dismissed due to Plaintiff’s “failure to prosecute or to comply with the Court’s orders.” (Docket Entry No. 22).<sup>1</sup>

No response in opposition was filed to the R & R. Having thoroughly reviewed the record in this case and the applicable law in accordance with Rule 72(b), the Court will accept the R & R of the Magistrate Judge.

Accordingly, the Court hereby rules as follows:

- (1) The Report and Recommendation (Docket Entry No. 22) is hereby ACCEPTED and APPROVED; and
- (2) This case is hereby DISMISSED WITH PREJUDICE.

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<sup>1</sup> Per the Court’s scheduling order, Plaintiff had until May 18, 2016, to file his motion for judgment on the administrative record. (Docket Entry No. 15). He did not. On August 4, 2016, Defendant filed a *Motion to Show Cause Why This Complaint Should Not Be Dismissed Pursuant to Rule 41(b), Federal Rules of Civil Procedure*. (Docket Entry No. 18). The Magistrate Judge granted the motion, and Plaintiff was directed to show cause within fourteen days why his case should not be dismissed. (Docket Entry No. 19). Service of the Court’s Order was achieved by certified mail on September 2, 2016). (Docket Entry No. 21). As of this date, Plaintiff has not filed a motion or otherwise shown why his case should not be dismissed.

The Clerk is directed to enter Judgment in a separate document in accordance with Federal Rule of Civil Procedure 58.

**It is SO ORDERED.**

*Kevin H. Sharp*  
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KEVIN H. SHARP  
UNITED STATES DISTRICT JUDGE